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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHOW, CHARLES CHIANG

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,767

Applicant(s)

WROBLEWSKI, GARY T.

Examiner

Charles Chow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Office Action
(for Amendment Received on 9/27/2004)

1. Withdraw the objection to Fig. 3 because applicant has corrected drawing for Fig.3 with addition of label in each block.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 8, 15-16, 18, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston et al. (US 6,101,531) in view of Scannell et al. (US 5,377,354).

Regarding **claim 1**, Eggleston et al. (Eggleston) teaches a method for admitting a wireless message (user defined message filtering parameters, abstract, wireless mobile station 105, 201, Fig. 1-2, Fig. 5, GSM in col. 4, lines 12-63) based on a phone book record (database in mobile device 210 has stores 212 for user-client definable filter settings for author, priority, message size, subject keywords in col. 8, lines 22-63), having a first record data instance of criteria (author or subject keywords, or priority, or message size) that determines what classes of the messages to admit to non-volatile storage (mail DB 211, Fig. 2, col. 5, lines 42-48) of a mobile station (201) and second record data source identifier (author or serial number 801 in Fig. 8), comprising a receiver (transceiver 202)) receiving a wireless message (message in Fig. 8) having a content indicator (801-802) and a processor (207) for admitting the wireless message provided that the content indicator matches the second record data

source identifier (serial number 801, col. 10, 18-40) and the at least one chosen mood class matches the first record data instance (802, author or subject or date, or size, or priority).

Besides, Eggleston teaches the modifying the set or plurality of user selected criteria (col. 17, lines 6-15). Eggleston fails to teach the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data. However, Scannell et al. (Scannell) teaches the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data (the message screening is based upon user created, modified, the rules 12 for screening the incoming electronic mail message, using conventional keyboard, for message store, forwarding, or putting away in abstract, Fig. 1-2; with different data in each field for the rules, including sender, date, subject, name, addressee, key phrase in column 5-6; the rule construction in column 8. The rules for screening message is assigned with priority, and depending upon the situation and time when user creates the rule for matching the classes, such as keyword, name, addressee, subject).

Scannell teaches an improved technique for the electronic mail message control to improve the electronic mail processing with efficiency (col. 1, lines 1-12, col. 2, lines 15-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Eggleston above, and to include Scannell's inputting, creating, user modified rules control for improving the incoming mail processing, such that the received mail message could be efficiently processed based on the user created rules.

Regarding **claim 2**, Eggleston teaches adding a mood class association to the phone book record wherein the first record data instance comprising mood class (the user can define, associating, filter attributes for priority, author, keywords in col. 8, lines 21-63, the user can

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modifies the set or plurality of user selected criteria for associating filtering attributes to author, col. 17, lines 6-15), wherein the first record data instance comprising mood class (author, subject, keyword).

Regarding **claim 8**, Eggleston teaches a mobile station (105 or 201) for admitting a wireless message (user defined message filtering parameters, abstract, wireless mobile station 105, 201, Fig. 1-2, Fig. 5, GSM in col. 4, lines 12-63) based on a phone book record (database in mobile device 210 has stores 212 for user-client definable filter settings for author, priority, message size, subject keywords in col. 8, lines 22-63), having a first record data instance of criteria (author or subject keywords, or priority, or message size) that determines what classes of the messages to admit to non-volatile storage (mail DB 211, Fig. 2, col. 5, lines 42-48) of a mobile station (201) and second record data source identifier (author or serial number 801 in Fig. 8), comprising receiving a wireless message (message in Fig. 8) having a content indicator (801-802) and admitting the wireless message provided that the content indicator matches the second record data source identifier (serial number 801, col. 10, 18-40) and the at least one chosen mood class matches the first record data instance (802, author or subject or date, or size, or priority). Besides, Eggleston teaches the modifying the set or plurality of user selected criteria (col. 17, lines 6-15). Eggleston fails to teach an input device, the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data, However, Scannell et al. (Scannell) teaches the input device (keyboard, abstract), the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data (the user created, modified rules-control 12 for screening incoming electronic mail message, using

conventional keyboard, abstract, Fig. 1-2; the fields for the rules in column 5-6; the rule construction in column 8). Scannell teaches an improved technique for the electronic mail message control to improve the electronic mail processing with efficiency (col. 1, lines 1-12, col. 2, lines 15-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Eggleston with Scannell's inputting, creating, user modified rules control for improving the incoming mail processing, such that the received mail message could be efficiently processed based on the user created rules.

Regarding **claim 15**, Eggleston teaches a method for selecting mood-ring (modifying the set or plurality of user selected criteria, col. 17, lines 6-15) for admitting a wireless message (user defined message filtering parameters, abstract, wireless mobile station 105, 201, Fig. 1-2, Fig. 5, GSM in col. 4, lines 12-63) based on a phone book record (database in mobile device 210 has stores 212 for user-client definable filter settings for author, priority, message size, subject keywords in col. 8, lines 22-63), having a first record data instance of criteria (author or subject keywords, or priority, or message size) that determines what classes of the messages to admit to non-volatile storage (mail DB 211, Fig. 2, col. 5, lines 42-48) of a mobile station (201) and second record data source identifier (author or serial number 801 in Fig. 8), comprising receiving a wireless message (message in Fig. 8) having a content indicator (801-802) and admitting the wireless message provided that the content indicator matches the second record data source identifier (serial number 801, col. 10, 18-40) and at least one chosen mood class matches the first record data instance (802, author or subject or date, or size, or priority). Besides, Eggleston teaches the modifying the set or plurality of user selected criteria (col. 17, lines 6-15). Eggleston fails to teach the receiving, inputting, a

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choice of a mood of the user to determine at least one chosen mood class matching the first record data, However, Scannell et al. (Scannell) teaches the receiving, inputting, a choice of a mood of the user to determine at least one chosen mood class matching the first record data (the user created, modified rules-control 12 for screening incoming electronic mail message, using conventional keyboard, abstract, Fig. 1-2; the fields for the rules in column 5-6; the rule construction in column 8). Scannell teaches an improved technique for the electronic mail message control to improve the electronic mail processing with efficiency (col. 1, lines 1-12, col. 2, lines 15-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Eggleston with Scannell's inputting, creating, user modified rules control for improving the incoming mail processing, such that the received mail message could be efficiently processed based on the user created rules.

Regarding **claim 16**, Scannell teaches the receiving a mood class selection command (for creating rules for screening incoming messages) and listing at least one mood class indicator (sender field 26, date filed 27, addressee field 29, subject field, key-phrase field 40 in column 5-6).

Regarding **claim 18**, Eggleston teaches editing the at least one mood ring associated with the at least one mood class indicator (the user can define filter attributes for priority, author, keywords in col. 8, lines 21-63, the modifying the set or plurality of user selected criteria (col. 17, lines 6-15).

Regarding **claim 21**, Eggleston teaches user definable filter parameters is the profile outline data for that user selected, defined, mood class filter.

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3. Claims 3-4, 17, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston in view of Scannell, as applied to claim 2 above, and further in view of Muramatsu (US 2001/0051,536 A1).

Regarding **claim 3**, Eggleston and Scannell fail to teach the receiving a command to couple the phone book record to the mood class. However, Muramatsu discloses the selecting the phone record from RAM 6 and receiving command to couple the phone-book record, by using the buttons 21-23, as shown above in Fig. 6(a)-6(f), [0043-0046].

Muramatsu teaches an improved efficient method for notifying user of incoming call utilizing different sound associated with caller's name and telephone number (steps 102, 106, Fig. 3, Fig. 4, Fig. 7a-7b, [0012-0013]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Eggleston with Muramatsu's associating selected phone record from RAM to phone book utilizing buttons 21-23, such that the phone record could be efficiently updated.

Regarding **claim 4**, Muramatsu teaches the selecting a phone-book record comprises listing a list of phone -book records and receiving a name choice matching a list of phone book records (the phone book record in Fig. 4, RAM 6 in abstract, and the step 106 for name in the received message).

Regarding **claim 17**, Muramatsu taught in Fig. 6(a)-6(b), for the highlighting, the cursor for scrolling, the highlighting 01, for Beep 1, as a second mood-ring class indicator, for the highlighting a current mood-ring indicator, and receiving a cursor movement signal and highlighting a second mood ringing class indication, Beep 1.

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Regarding **claim 19**, Muramatsu taught the receiving key-press command from menu button 21, set button 22, and scroll button 23, for the associated key-press signal associated with a mood-ringing class selection command.

4. Claims 5-7, 9, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston in view of Scannell, as applied to claim 2 above, and further in view of De Boor et al. (US 6,173,316 B1).

Regarding claim 5, Eggleston and Scannell fail to teach the adding of the criterion to second data record identifier. However, De Boor et al. (De Boor) teaches the wireless communication device having man-machine interface, using markup language, for interfacing with user (abstract, Fig. 1-2). In Fig. 8, col. 13, lines 10-40, De Boor teaches the phone book contains telephone number, address, ring tone. De Boor teaches the new entry could be added to the phone book (as shown (col. 25, lines 41-47). De Boor teaches the filter could be added for criterion of receiving the incoming call (col. 40, lines 50-67). De Boor teaches any data augment can be entered to the phone book (col. 44, lines 19-27). De Boor considers the efficient man-machine interface by using the markup language (col. 5, line 30-32), such that the software complexity could be reduced. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Muramatsu with De Boor's efficient man-machine interface by using the markup language, such that the software for man-machine interface could be efficient, by utilizing markup language, for reducing the software complexity.

Regarding **claim 6**, De Boor teaches the adding a phone number to phone book, as

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shown in col. 5, lines 20-29, col. 25, lines 41-47, for creating new entry, modifying entry, for telephone number or ring tone in phone book.

Regarding **claim 7**, De Boor teaches the man-machine interface could also add address, because De Boor considers any data augment could be entered into phone book, including address field, as shown above. De Boor teaches the creating new entry, modifying entry, for any data augment, including telephone number and address, such that the phone book could be updated efficiently by using the man-machine interface.

Regarding **claim 9**, De Boor teaches in claim 5 the creating, modifying ringing tone class to the phone book (col. 25, lines 41-47), as the means for adding a mood ringing class to phone-book comprising mood ringing class.

Regarding **claim 12**, De Boor teaches in claim 5 above a wireless device, and a second input device (scroll button 21) for adding criterion filter (above) to the phone book.

5. Claims 10-11, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston in view of Scannell, De Boor, as applied to claim 9 above, and further in view of Muramatsu.

Regarding **claim 10**, Eggleston and Scannell fail to teach the second input device for selecting the phone book using scroll button. However, Muramatsu teaches a second input device for selecting the phone-book record using scroll button 23 for receiving command to associate the phone record to mood-ringing class. Muramatsu teaches an improved efficient method for notifying user of incoming call utilizing different sound associated with caller's name and telephone number (steps 102, 106, Fig. 3, Fig. 4, Fig. 7a-7b, [0012-0013]).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Eggleston with Muramatsu's associating selected phone record from RAM to phone book utilizing buttons 21-23, such that the phone record could be efficiently updated.

Regarding **claim 11**, Muramatsu teaches the a display of listing in Fig. 6(a)-6(f) and in Fig. 4. Muramatsu discloses a third input device, set button 22, is utilized associate the name [0045] to matching a list in phone book record, by setting the name to the phone book.

Regarding **claim 13**, Muramatsu taught in claim 11 above for the third input for adding a phone number to the phone book record, and the communication device.

Regarding **claim 14**, De Boor has considered a fourth input device for adding an address to the phone book for a mobile wireless device, by using the softkey 130, for creating new entry address (in col. 25, lines 41-47; col. 25, lines 58-67).

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston in view of Scannell, Muramatsu, as applied to claim 19 above, and further in view of Shnier (US 2002/0009,184 A1).

Regarding **claim 20**, Eggleston and Scannell fail to teach the key-press comprising threshold setting signal. However, Shnier teaches the call screening for notifying user, based on the caller ID which has the associated corresponding distinct ring sound for notifying the incoming call (abstract, figure in cover page). Shnier teaches the keys 205b (figure in cover page) has different sound settings to choose as the alerting threshold setting signal by using

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different ring sound associated with key 205b, for distinctly notifying the user of the caller's incoming call, such as using one beep or three beep. Shnier considers the efficient call notification by using the distinct sound associated with the caller's ID, such that the called party could be efficiently identified the caller ([0026]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Muramatsu with Shnier's distinct ring sound associated with caller, such that the called party could efficient identify the caller.

Response to Arguments

7. Applicant's arguments filed 9/27/2004 have been fully considered but they are not persuasive.

Applicant argued the no teachings for the amended features for the wireless message to non-volatile storage of the mobile station provided that the content indicator matches the second record data source identifier and the as least one chosen mood class matches the first record data instance (claim 1 and page 12 of applicant's amendment); the criteria that determines what classes of messages to admit to memory of the mobile station; at least one chosen mood class matches the first record data instance (claim 8); the class that defines a respective call of message to admit to memory of the mobile station, the wireless message of the mobile station if the chosen mood class filter matches the mood class associated with the wireless message (claim 15); the combining of Scannell to Eggleston which would result a message filtering prior to message transmission over network to mobile station, without further filtering by mobile station.

Regarding the wireless message to non-volatile storage of the mobile station provided that the content indicator matches the second record data source identifier and the at least one chosen mood class matches the first record data instance (claim 1 and page 12 of applicant's amendment), Eggleston teaches the wireless message for mobile station (the wireless GSM, mobile client user 105, 201, col. 4, lines 35-45, Fig. 1-2), for having mail data memory store 211 in ROM store 214 (col. 5, lines 45-48, Fig. 2), for the user selected filtering criteria for processing wireless message (the user selects summary index listing of the filtering data, S&S, and user can request for partial or full transferring of data, col. 3, lines 21-39), the matching of the at least one chosen mood class matches the first recorded data instance (the header information 801, 802, which serial number, Fig.8, of the chosen mood class for matching the header information to the user defined filtering attribute, 802, date, author, subject, size, priority, attachment indicator, col. 10, lines 31-40). Scannell teaches the content indicator matches the second record data source identifier (the matching of received email message with stored keyword, key phrase, for storing, routing, message, based on the stored user defined rules storage 12, message storage 11, rule test unit 13, abstract, col. 5, lines 15-18; the matching of the message subject 30, body 31 to the user selected stored criteria key phase 40, body 41, for content indicator matches the second key phase, subject, body, col. 6, lines 50-62; col. 7, lines 56-66; col. 8, line 63 to col. 9, line 4).

Regarding the criteria that determines what classes of messages to admit to memory of the mobile station; at least one chosen mood class matches the first record data instance (claim 8), Eggleston teaches the user defined filtering attribute criteria for determining of the received message class of the GSM wireless message, based on the header information,

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having message serial no. 801, detailed header information 802 with date, author, subject, size, priority, attachment indicator, col. 10, lines 31-40), to admit message to memory (user request partial, full data transferring, col. 3, lines 21-39), to the user device mail memory ROM store 214 (col. 5, lines 45-48, Fig. 2).

Regarding the class that defines a respective call of message to admit to memory of the mobile station, the wireless message of the mobile station if the chosen mood class filter matches the mood class associated with the wireless message (claim 15), Eggleston teaches the user defined filtering attribute criteria for determining of the received message class of the GSM wireless message, based on the header information, having message serial no. 801, detailed header information 802 with date, author, subject, size, priority, attachment indicator, col. 10, lines 31-40), to admit message to memory (user request partial, full data transferring, col. 3, lines 21-39), to the user device mail memory ROM store 214 (col. 5, lines 45-48, Fig. 2).

Regarding the combining of Scannell to Eggleston which would result a message filtering prior to message transmission over network to mobile station, without further filtering at mobile station, Eggleston teaches the user client device 201 which does have the mail message filtering capability, applied the uploading prstage filter by the client controller at mobile client station, so as to retain all filtering rejected mails, while transmitting mail which passes the filtering criteria, thus reducing the cost of running the communication service between remote unit and the communication server.

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8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (703)-306-5615. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)-305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 872-9314 (for Technology Center 2600 only)

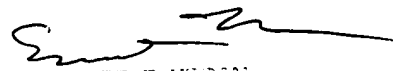
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Charles Chow *CC*.

January 22, 2005.


EDWARD F. UREAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600